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REPLY TO MINNEAPOLIS

January 8, 2016

VIA ECF

The Honorable Charles R. Breyer
United States District Court
Northern District of California
450 Golden Gate Avenue
Courtroom 6 - 17th Floor
San Francisco, CA 94102

Re: In re Volkswagen "Clean Diesel" Cases
MDL No. 2672 (JSC) (N.D. Calif.)
Application for Appointment to the Plaintiffs' Steering Committee

Dear Judge Breyer:

Pursuant to Pretrial Order No. 2, I respectfully submit this request for my appointment to the Plaintiffs' Steering Committee on behalf of my firm, Lockridge Grindal Nauen P.L.L.P. ("LGN"). I seek to represent the class of vehicle owners on the Plaintiffs' Steering Committee. Alternatively, I would also be willing to serve as a steering committee member designee to any Discovery or Law subcommittee.

Professional Experience. I have extensive experience in complex litigation, and have been appointed to lead, co-lead, executive and steering committee positions in numerous cases, both small and large MDL consolidations. I understand the difficulties inherent in coordinating discovery, legal positions, staffing, and communication with a large, diverse group and am committed to that endeavor here. For instance, I have prosecuted national, certified class actions to verdict in two cases. In *Peterson v. BASF Corp.*, I was court-appointed class counsel and was one of the trial attorneys who secured a jury verdict for a nation-wide class seeking redress for defendants' marketing of its herbicide products. After multiple state appellate opinions and two trips to the U.S. Supreme Court, a judgment in excess of \$60 million was affirmed and paid to farmers throughout the United States. Additionally, I was one of the court-appointed class counsel and trial counsel representing a certified sub-class as part of a nationwide antitrust trial in *In re Laminates* that was tried to verdict in the United States District Court for the Southern District of New York.

I have also been active in litigating class action, consumer fraud, product liability, and other complex cases, involving product liability and consumer protection claims in both state and

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federal courts: *In Re Building Materials Corporation of America Asphalt Roofing Shingle Products Liab. Litig.*, MDL 2283 (D.S.C.)(Hon. Childs; 803.253.3850) (Plaintiff Steering Committee); *In Re CertainTeed Corp. Roofing Shingle Products Liability Litig.*, MDL 1817 (E.D. Pa.) (Hon. Pollak; deceased) (Co-Lead Counsel); *Eliason v. Gentek Building Products, Inc., et al.*, Civ. No. 10- cv-2093 (N.D. Ohio) (Hon. Pearson; 303.252.6170) (Executive Committee); *In Re HardiePlank Fiber Cement Siding Litig.*, MDL No. 2359 (D. Minn.) (Hon. Davis; 612.664.5070) (Lead Counsel); *In Re IKO Roofing Shingle Products Liability Litig.*, MDL No. 2104 (C.D. Ill.) (Hon. Baker; 217.373.5830) (Co-Lead Counsel); *In Re Kitec Plumbing Systems Products Liab. Litig.* MDL No. 2098 (N.D. Tex.) (Hon. Furgeson; retired) (Co-Lead Counsel); *In Re Laminates*, MDL File No. 1368, (S.D.N.Y.) (Hon. Briant; deceased) (Lead Counsel to Miami Sub-class); *McFerren v. AT&T Mobility LLC*, Civil No. 2008-cv-151322 (Hon. Bonner; 404.612.4518) (Superior Court Fulton County, GA) (Chairman of Plaintiffs' Steering Committee); *In Re Medtronic, Inc. Sprint Fidelis Leads Products Liability Litig.*, MDL 08-1905 (D. Minn.) (Hon. Rosenbaum; 612.664.5050) (Liaison Counsel); *In Re Navistar Diesel Engine Products Liab. Litig.*, MDL No. 2223 (N.D. Ill.) (Hon. Gottschall; 312.435.5640) (Plaintiffs' Steering Committee); *In Re Northstar Education Finance, Inc. Contract Litig.*, MDL 08-1990 (D. Minn.) (Hon. Frank; 651.848.1290) (Co-Lead Counsel); *Peterson v. BASF Corp.*, Civil No. C2-97-295 (Hon. Kraker; 218.784.5458)(Norman County District Court, Minn.) (Lead Counsel); *Cynthia Walker v. Cellfish Media, LLC*, No. 08 CH 40592 (IL. Cir. Ct.) (Hon. Billik; retired) (Plaintiffs' Steering Committee); *Patricia Wright, et al. v. Owens Corning*, MDL No. 1567 (W.D. Pa) (Hon. Conti; 412.208.7330) (Co-Lead Counsel); *In re Google Android Consumer Privacy Litig.*, MDL No. 2264 (N.D. Calif.) (Hon. White; 510.637.3541) (Interim Co-Lead Counsel); *In Re Zurn Pex Products Liability Litig.*, MDL 1958 (D. Minn.) (Hon. Montgomery; 612.664.5090) (Co-Chair Plaintiffs' Steering Committee); *George v. Uponor Corporation, et al.*, Court File No. 12-249 (D. Minn.) (Hon. Montgomery; 612.664.5090) (Co-Lead Counsel); *In Re Aredia and Zometa Products Liability Litig.*, MDL 06-1760 (M.D. Tenn.) (Hon. Campbell; 615.736.5549) (Plaintiff Steering Committee); *In Re iPhone Application Litig.*, Civil No. 10-CV-05878-LHK (N.D. Calif.) (Hon. Koh; 408.535.5346) (Executive Committee); *In Re Syngenta AG MIR162 Corn Litig.*, Civil No. 14-md-2591-JWL-JPO (D. Kansas) (Hon. Lungstrum; 913.735.2320) (Executive Committee); *In re: National Hockey League Players' Concussion Injury Litig.*, MDL No. 14-2551 (D. Minn.) (Hon. Nelson; 651.848.1970) (Executive Committee); and *In re: Syngenta Litig.*, 27-CV-15-3785 (Hennepin County District Court) (Hon. Sipkins; 612.543.1290) (Liaison Counsel & Executive Committee).

Track record and willingness to work with other counsel. Through the positions noted above, I have demonstrated my willingness to work with others in a variety of contexts from leadership positions to committee leadership positions to providing substantive work under the direction of others. Most of these cases involved complex issues that were overlaid with insurance issues that likely will be part of this litigation as well. Additionally, I have always strived to maintain a good working relationship with opposing counsel while still not sacrificing the rights and fair litigation on behalf of consumers.

Ability and willingness to fully and timely litigate this action. In addition to the resources of my firm, I am personally willing and available to commit substantial effort and energy to prosecute this litigation and to work cooperatively with all plaintiffs' counsel towards a successful

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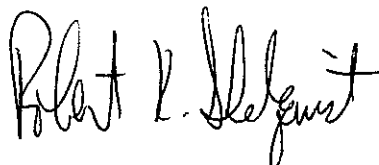
resolution through settlement negotiations, trial, or appeal. I believe that some of my legal experiences position me to be a helpful resource in this litigation. Moreover, LGN, founded in 1978, has extensive experience in complex and multidistrict litigation. Comprised of over 30 attorneys assisted by more than 20 paralegals and government relations specialists, LGN is well-acquainted with the financial requirements and the time commitments necessary to prosecute this action. LGN is also willing to allocate the resources necessary to meaningfully participate in this MDL.

Other considerations. Finally, I would like to highlight that the majority of my experience has involved cases that are directly tied to scientific-related evidence overlaid by governmental standards or certifications. For instance, I spent a substantial portion of my early career engaged in litigation directed to asbestos-containing products in buildings. I am experienced in inspections including drafting protocols for inspections, sampling protocols, and chain-of-custody issues. I have personally visited laboratories and deposed numerous experts regarding bulk sample testing and air monitoring testing, including the use of phased contrast microscopy, transmission electron microscopy, principles of contamination, and professional certification of laboratories. In more recent years, my cases have likewise demanded a full investigation and understanding of the interplay between science, technology and standards. This includes not only building codes and related product certifications, but also FDA and medical studies. I have been or currently am involved in litigation concerning automobile and engine parts failures which involve both the governmental regulatory framework, as well as experts focused on the design, manufacturing, and warranty analysis of systems and parties. This litigation will also be intimately tied to understanding the science driven industry standards and testing and I believe my experience will offer meaningful insight and experience to the Proposed Class here.

In closing, LGN and I have the resources, willingness, and availability to commit to this time-consuming and challenging MDL litigation. I possess the ability to work cooperatively with others and I have beneficial professional experience to bring to this litigation. Accordingly, on behalf of LGN, I respectfully seek Your Honor's appointment to the Plaintiffs' Steering Committee.

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

A handwritten signature in black ink, appearing to read "Robert K. Shelquist". The signature is fluid and cursive, with the first name "Robert" being more prominent.

Robert K. Shelquist

RKS/brg
Attachments